

Truro Board of Selectmen  
Meeting Minutes – Tuesday, February 10, 2015  
Truro Town Hall, 4:00 p.m.

Members Present: Chair-Jay Coburn, Vice Chair-Paul Wisotzky, Clerk-Jan Worthington, Bob Weinstein, Maureen Burgess

Present: Town Administrator-Rae Ann Palmer, Jamie Veara

Chair Coburn called the meeting to order at 4:00 p.m. He announced the reason for this meeting was to interview candidates for Town Counsel. The first interview will be held with current Town Counsel, Jamie Veara from Zisson & Veara.

Mr. Veara approached the Board. Chair Coburn stated that they had some set questions which they would ask, and then members of the Board might have some follow up questions. Selectman Wisotzky informed Mr. Veara that they would be asking the same questions to all of the candidates.

Selectman Wisotzky asked question #1 and #2- *What is your firms overall approach to working with clients? What do you believe are the key components of an effective working relationship?* Mr. Veara believes that the first and most important component of a relationship between an attorney and a client is communication.

- Being accessible
- Responsive
- Keeping people informed

Selectman Wisotzky asked if Mr. Veara thought he had an approach that is different from others. Mr. Veara stressed accessibility. Someone always answers the phone in his office from 8-5. He also employs an answering service for after office calls, and those messages are relayed back to him.

Selectman Worthington asked question #3-*What sets Truro apart from other Municipalities and what are the three most important attributes that you bring to the table working with the Town of Truro-- Attributes that you believe sets your firm apart from others.* Mr. Veara thinks that one of the things that sets Truro apart from other Municipalities is its history and its commitment to the character of the Town. Truro still holds to its agricultural background, and aquaculture is an integral part of what happens here. Pamet Harbor and the fishing community are also parts and components. The character of Truro is very rural, which makes it fundamentally different. Some of the attributes which Mr. Veara brings to the table is that he's from the Cape, his family is from Provincetown, his parents attended Provincetown High School, his family still operates a business in Provincetown, he attended school at Dennis-Yarmouth High School, therefore he is connected to the Cape. He is a local person and believes in doing things locally. Having a working understanding of what life is like on the Cape, he is mindful of those things when he's doing a job for the Town of Truro, or any individual he does work for. He charges a low rate, comparatively, from what other folks charge.

Selectman Burgess asked question #4-*What is your strongest area of expertise with regard to municipal governance? What is your weakest?* Mr. Veara's area of expertise would be in land use (zoning, planning, and property development). Mr. Veara believes he has knowledge in both sides of the equation in the areas of analyzing a particular project which is presented, and giving guidance to Boards when they have to wrestle with questions that are presented to them by applicants that come forward. His weakest area of expertise would be municipal finance. Looking at the municipal finance components of things that the Accounting Department is constrained to do when payments have to be made, mostly because that is not something which Counsel is asked to do.

Chair Coburn stated that Mr. Veara has been involved with the Town for a long time and has a sense that one of the issues that confront Truro is the trajectory in which our municipal spending is increasing. Chair Coburn asked question #5-*What processes or procedures would you recommend to control costs related to legal services?* Mr. Veara stated that something which was implemented a while back, as the best mechanism of control, was channeling and curtailing access to Counsel. There were times, years ago, where there was no policy in place for access to Counsel. Making sure the process stays in place is the biggest way to control costs. Also, people should particularize what they want to have answered. Some questions can be very general and could lead to a lot of time. Also, keeping his rate low will also control costs. When litigation ensues, it should be determined at the earliest stage just what the Town's interest is that they are trying to protect, and what involvement does the Town want to take.

Selectman Weinstein then asked question #6-*As the issue of regionalization or service sharing between communities becomes a reality, how would you handle representing the Town in developing agreements and what would you do if you represented both Towns to prevent a conflict and protect both Town's interest?* Mr. Veara does not know if it's in the best interest for an attorney to represent two towns in the context of any regionalization type of approach whatsoever. Putting aside whether or not that is an iron-clad conflict of interest of rules of ethics, he would not recommend that, and does not feel it's beneficial to either community. His position would be to represent only one municipality. If there is ever a conflict with a town which he represents presently, that is the town he would go with first. If any regionalization issue ever came up that Truro was involved in, and he happened to be representing another municipality, he would decline representation of that other municipality and continue to work with Truro. What to do, in terms of regionalization, would be to identify protecting the Town's interests.

Selectman Wisotzky mentioned that there are firms that are specialized in municipal law, and asked Mr. Veara if he currently only represents Truro (in terms of municipalities). Mr. Veara stated that Selectman Wisotzky's statement was correct. Selectman Wisotzky is curious why he has taken that approach, in terms of only having one municipal client vs specializing in municipal law. When Mr. Veara started, they were representing two municipalities. Over the years, they have had occasions to do some work for other towns on a one or two case basis. Brewster chose to make a change three years ago. When he started practicing, each town on the Cape had a different lawyer which was a local town counsel. He likes representing one or two municipalities, but beyond that they would be spread too far.

Selectman Weinstein asked if Zisson & Veara, specifically Mr. Veara, would provide continuing education for the Board of Selectmen or other Town bodies. Mr. Veara stated that they used to do that years ago, and for some reason quite a few years ago, it stopped. He does not have an explanation as to why. He believes it is a good service to provide to the Town. Selectman Weinstein then asked, with his knowledge of the statutes and municipal governance issues, legally, what would Mr. Veara do if confronted with a directive (from a Board) stating that he proceed in a certain fashion. Would he be guided by his best legal judgment? Mr. Veara replied, saying that with any issue, you analyze the facts and the situation. At the end of the day, it's the Board of Selectmen that control what happens in terms of litigation (or strategy of a type of case). However, if confronted with a directive, a lawyer is required to advocate for the client. It's also incumbent upon Counsel to come to an executive session, outline the options, and then the Board chooses the direction they want to go in.

Selectman Burgess asked if Mr. Veara would feel comfortable addressing where he would caution the Board to be aware of issues which may be cropping up in the future. Mr. Veara responded, stating that it's a difficult question to answer. It's not Counsel's job to set policy. Every town is confronted with the financial pressure of raising revenue and addressing budgetary issues. They will always be confronted with development pressures. What direction do they want (or not want) the development to go in. The Board sets the policy of the direction it thinks it wants to go in, and through his assistance, they try to implement the best safeguards to provide the citizens the ability to obtain those goals. He is not sure

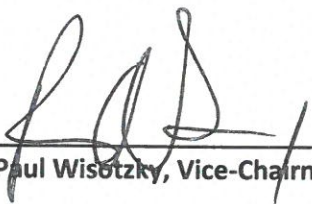
his job is to tell the Town what direction to go in, but he is amenable to stating what can be implemented and provide ideas for that.

**Selectman Wisotzky made a motion to adjourn at 4:32PM.**


**Selectman Burgess seconded this motion.**


**So voted unanimously, 5-0.**

  
Jay Coburn, Chairman

  
Paul Wisotzky, Vice-Chairman

  
Janet W. Worthington, Clerk

  
Robert Weinstein

  
Maureen Burgess  
Board of Selectmen  
Town of Truro

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Documents Used

None

